IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

TEXTRON INNOVATIONS INC.,)
Plaintiff,)
V.) C. A. No. 05-486 (GMS)
)) JURY TRIAL DEMANDED
THE TORO COMPANY,)
Defendant.)

Letter dated December 7, 2006 from Peter B. Ladig, Esquire to the Honorable Gregory M. Sleet was Filed Under Seal

OF COUNSEL: THE BAYARD FIRM

Scott L. Robertson

Christopher C. Campbell

HUNTON & WILLIAMS LLP

1900 K Street, N.W.

Washington, D.C. 20006-1109

Telephone: (202) 055, 1500

Edmond D. Johnson (#2257)

Peter B. Ladig (#3513)

Katharine V. Jackson (#4800)

222 Delaware Avenue, Suite 900

Wilmington, DE 19801

Telephone: (302) 655-5000

Telephone: (202) 955-1500 Telephone: (302) 655-5000 Facsimile: (202) 778-2201 Facsimile: (302) 658-6395

Attorneys for Plaintiff TEXTRON INNOVATIONS INC.

Dated: December 7, 2006

CERTIFICATE OF SERVICE

I, Peter B. Ladig, hereby certify that on the 7th day of December, 2006, I electronically filed the foregoing *Notice of Fling Under Seal* with the Clerk of the Court using CM/ECF, which will send automatic notification of the filing to the following:

Richard L. Horwitz, Esquire POTTER ANDERSON & CORROON LLP Hercules Plaza, 6th Floor 1313 N. Market Street Wilmington, Delaware 19899-0951

Via first class mail upon:

Anthony R. Zeuli, Esquire MERCHANT & GOULD P.C. 3200 IDS Center 80 South 8th Street Minneapolis, MN 55402

Peter B. Ladig (#3513)